UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/384,073	08/26/1999	WATARU ISHISAKI	0671.63110	7351

24978 7590 01/31/2003

GREER, BURNS & CRAIN
300 S WACKER DR
25TH FLOOR
CHICAGO, IL 60606

EXAMINER
SAX, STEVEN PAUL

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 01/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)
09/384,073	Ishisaki
Examiner	**Group Art Unit**
Sax	2174

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 - MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication .
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

☒ Responsive to communication(s) filed on 1/16/03.

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

☒ Claim(s) 1-12 is/are pending in the application.

Of the above claim(s)____ is/are withdrawn from consideration.

☐ Claim(s)____ is/are allowed.

☒ Claim(s) 1-12 is/are rejected.

☐ Claim(s)____ is/are objected to.

☐ Claim(s)____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The proposed drawing correction, filed on____ is ☐ approved ☐ disapproved.

☐ The drawing(s) filed on____ is/are objected to by the Examiner.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 11 9(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number)____.

☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

*Certified copies not received:____.

Attachment(s)

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s).____

☐ Interview Summary, PTO-413

☒ Notice of Reference(s) Cited, PTO-892

☐ Notice of Informal Patent Application, PTO-152

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Other____

Office Action Summary

DETAILED ACTION

1. This application has been examined. The RCE filed 1/16/03 and incorporated amendment have been entered.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sigona (5694150) and White et al (5982351) and Mastering Windows 3.1.

4. Regarding claim 1, see Sigona et al: the abstract, Figure 6, column 3 lines 15-25. Note the graphical user interface with input monitoring means for location and actuation of an input device. See also column 3 lines 45-50 and column 10 lines 30-39 and note how a number of consecutive actuations of the input device in a given time interval, as well as duration time of input events, are ascertained. As a result of this interface windowing events are caused (column 6 lines 5-14 and 47-57), which implicitly includes menuing features. Nevertheless, Sigona et al do not specifically show that these input events determine the selection (and subsequent display)

of a menu or region of a menu, but only that they determine a windowing event of some sort. The motivation thus mentioned in Sigona et al is to ease the burden of input management and make input operations acted upon more efficiently. Now, see White et al: Figure 4, column 5 lines 8-30. This shows the management, selection, and displaying of menus based on input monitored events. Note again in column 5 lines 7-14 and 33-42 that the motivation for this is to ease the burden of input management and to make input operations (such as a single stroke) acted upon more efficiently. It would have been obvious to a person with ordinary skill in the art to do the menu managment, selection, and display such as in White et al, on the basis of input monitored events such as the consecutive actuations and input event duration as in Sigona et al, because it would ease the burden of input management and make input operations acted upon more efficiently in a graphical user interface system. Neither reference specifically require that the same input device is actuated, but this could be possible especially in Sigona et al. But note in Mastering Windows 3.1 pages 21-31 and 868 that when a same cursor key is constantly actuated, different menus or parts of a menu are accessed. When a same cursor is held for a predetermined time, the next (menu or region of menu) is accessed. This is done to ease the burden of input management and make input operations acted upon more efficiently in a graphical user interface system. It would have been obvious to a person with ordinary skill in the art to have the same input cause the accessibility, because it would ease the burden of input management and make input operations acted upon more efficiently in a graphical user interface system.

5. Regarding claim 2, in addition to the aforementioned, note in White et al column 3 lines 9-15 the alert message. This is in response to a user input manipulation, and thus would be the indicator of the input events which thus would cause a menu selection as described above.

6. Regarding claim 3, in addition to the aforementioned, see in Sigona et al: Figure 7 and column 5 lines 13-19 and 39-46. The cursor position is determined at each event and if the difference is greater than a threshold, the events are considered not consecutive and the counter (and alert indicator) are not incremented. See column 10 lines 35-45.

7. Regarding claims 4-5, in addition to the aforementioned, note in White et al column 5 lines 17-22 that the display control positions the cursor on a region of the menu.

8. Regarding claims 6-9, these show the same features as above and are rejected for the same reasons. Note that a duration may be defined as the time between two events. Also, regarding claim 8, note that Sigona et al show a windowing system (column 6 lines 27-34) and White et al show a full menu managing system (column 5 lines 13-17).

9. Claims 10-12 show the same features as above and are rejected for the same reasons.

10. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. But note though regarding applicants' comments on Sigona and White: the main point of argument lies in the interpretation and reading of the claims. All claims recite that the menuing accessibility is based on EITHER the number of consecutive actuations in a time period OR the duration time. Thus, the art merely need show one of these features to show the claim. It is the duration feature to which the art is directed fully. Please call examiner at 703-305-9582 for further discussion.

11. Any inquiry concerning this communication should be directed to Steve Sax at telephone number (703) 305-9582.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Sax whose telephone number is (703) 305-9582. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238	After Final Communication
(703) 746-7239	Official Communication
(703) 746-7420	For Status Inquiries, draft communication

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

STEVEN SAX
PRIMARY EXAMINER

ALL ABOUT MENUS

The *menu bar* is a row of words that appears just below the title bar. (It appears only on application windows. Document windows do not have menu bars.) If you click on one of the words in the menu bar (called menu *names*), a menu opens up, displaying a series of options that you can choose from. It is through menus that you tell all Windows applications what actions you want carried out.

Try this as an example:

1. With the Program Manager window open and active, click on the word *File* in the menu bar. A menu opens, as you see in Figure 1.10, listing eight options. You can see why it's called a menu; it's a bit like a restaurant menu listing things you can order.
2. Click on the other names in the menu bar (Options, Window, or Help) or press the key to see the other menus and their choices.

SPEED TIP

You could also have pressed Alt-F to open the File menu. If there is an underlined letter in any menu's name, holding down the Alt key and pressing that letter opens the menu.

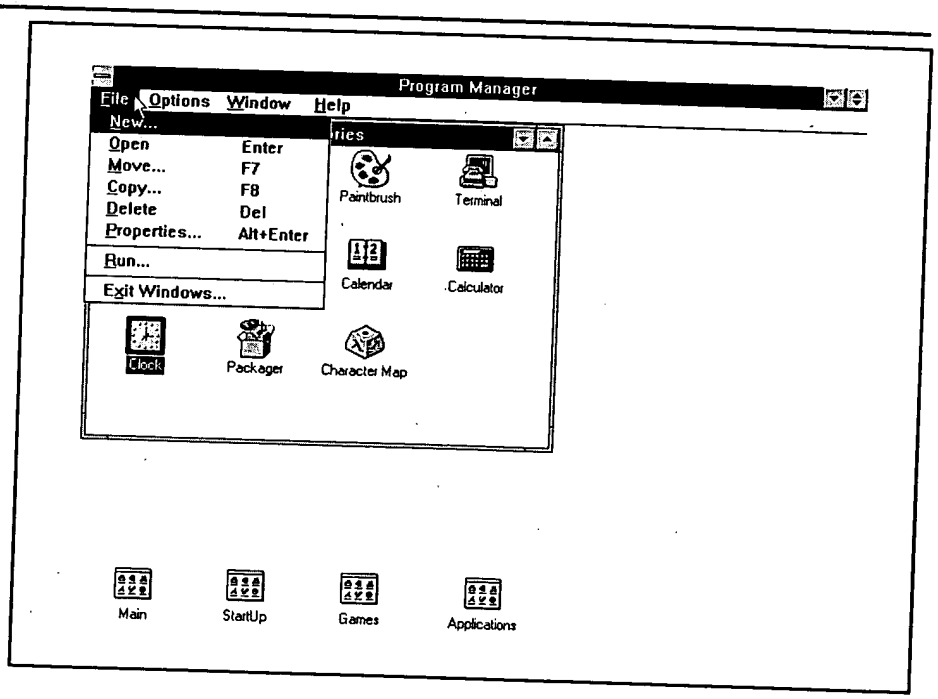


FIGURE 1.10:
Opening a menu by clicking on its name in the menu bar.

NOTE *At this point, don't select any of the commands just yet. We'll begin using the commands in a bit.*

Each menu name, when clicked on, will open up its own menu, with choices somewhat relevant to the menu's name. The names on the menu vary from application to application, but there are always several that are the same, such as File, Edit, and Help. It may take a while for you to become familiar with the commands and which menus they're located on, but it will become more automatic with time. In any case, it's easy enough to look around through the menus to find the one you want.

FIGURE 1.11: *Typical menus*

Selecting Menu Commands

Once a menu is open, you can select any of the commands in the menu that aren't dimmed. (The dimmed command names are ones that are not available at the time.) You can select a menu command in several ways:

- by typing the underlined letter in the command name
- by clicking on the command name
- by highlighting the command name using the arrow keys and then pressing Enter

You can cancel a menu (that is, make the menu disappear without selecting any commands) by simply pressing the Esc key, or by clicking anywhere outside of the menu.

Special Indicators in Menus

Windows and Windows applications menus often have special symbols that tell you more about the menu commands. For example, examine the menus in Figure 1.11. Notice that many of these commands have additional words or symbols next to the command name. For example, the New command (for creating a new file) has ellipses (three dots) after it. Other commands may have check marks, triangles, or key combinations listed beside them. Here are the meanings of these words or symbols:

A Grayed (Dimmed) Command Name

When a command is shown as *grayed,* or *dimmed,* it means that this choice is not currently available to you. A command can be dimmed for a number of reasons. For example, a command for changing the typestyle of text will

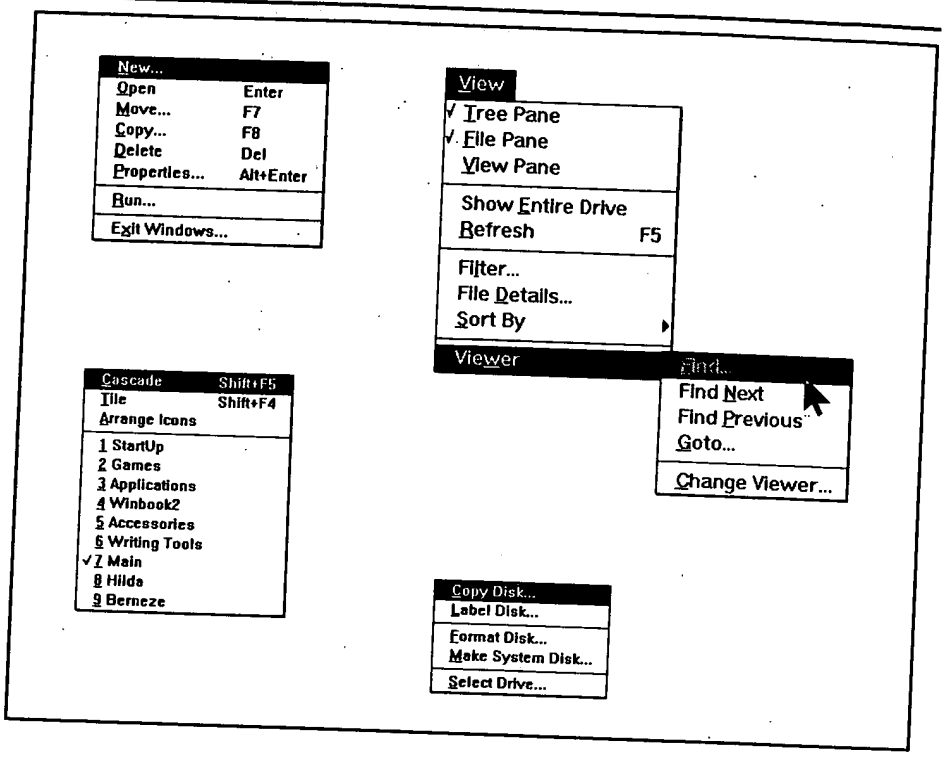


FIGURE 1.11:
Typical menus

be grayed if no text has been selected. Other times, commands will be grayed because you are in the wrong program mode. For example, if a window is already maximized, the Maximize command on the Control menu will be dimmed, since this choice doesn't make sense.

Ellipses (...)

Ellipses next to a command mean that you will be asked for additional information before Windows or the Windows application executes the command. When you select the command, a dialog box will appear on the screen, asking you to fill in the needed information. (We will discuss dialog boxes in the next section of this chapter.)

A Check Mark (✓)

A check mark preceding a command means the command is a toggle that is activated (turned on). A *toggle* is a command that is alternately turned off and

on each time you select it. It's like a toggle switch or those old car high-beam switches on the floor that you step on to change between high beams and low beams. Each time you select one of these commands, it switches from *active* to *inactive.* If there is no check mark, then the command or setting is inactive. This is typically used to indicate things like whether selected text is underlined, which font is selected, what mode you are in within a program, and so on.

A Triangle (▶)

A triangle to the right of a menu command means that the command has additional subchoices for you to make. Choosing such a command brings up a *cascading menu* (because the next menu starts to the right of the previous one and runs down from there, a bit like a waterfall of menus). You make selections from a cascaded menu the same way you would from normal menus. The upper-right example in Figure 1.11 shows a cascaded menu.

A Key Combination

Some menu commands list keystrokes that can be used instead of opening the menu and choosing that command. For example, in the Program Manager's File menu (shown in Figure 1.10), you'll notice that the Open command could be executed by pressing the Enter key, and the Delete command could be executed by pressing the Del key. These alternative time-saving keystrokes are called *shortcut keys.*

ALL ABOUT DIALOG BOXES

A dialog box will always appear when you select a command with ellipses (...) after it. Dialog boxes pop up on your screen when Windows or the Windows application program you're using needs more information before continuing. Some dialog boxes ask you to enter information (such as file names), while others simply require you to check off options or make choices from a list. The list may be in the form of additional sub-dialog boxes or submenus. In any case, after you enter the requested information, you click OK and then Windows or the application program continues on its merry way, executing the command.

Though most dialog boxes ask you for information, other boxes are only informative, alerting you to a problem with your system or an error you've made. Such a box might also request confirmation on a command that could have dire consequences or explain why the command you've chosen can't be executed. These alert boxes often have a big letter *i* (for "information") in them, or an exclamation mark (!) if the warning is more important. Generally, these boxes only ask you to read them and then click OK (or cancel them, if you decide not to proceed). Some boxes only have an OK button. Let's look at some typical dialog boxes and how they work.

Moving between Sections of a Dialog Box

As you can see in Figure 1.12, dialog boxes often have several sections to them. You can move between the sections in three ways:

- The easiest way is by clicking on the section you want to alter.
- If you are using the keyboard, you can press the Tab key to move between sections and press the spacebar to select them.
- You can also use the Alt key with the underlined letter of the section name you want to jump to or activate. Even when you are using a mouse, the Alt-key combinations are sometimes the fastest way to jump between sections or choose an option within a box.

Entering Information in a Dialog Box

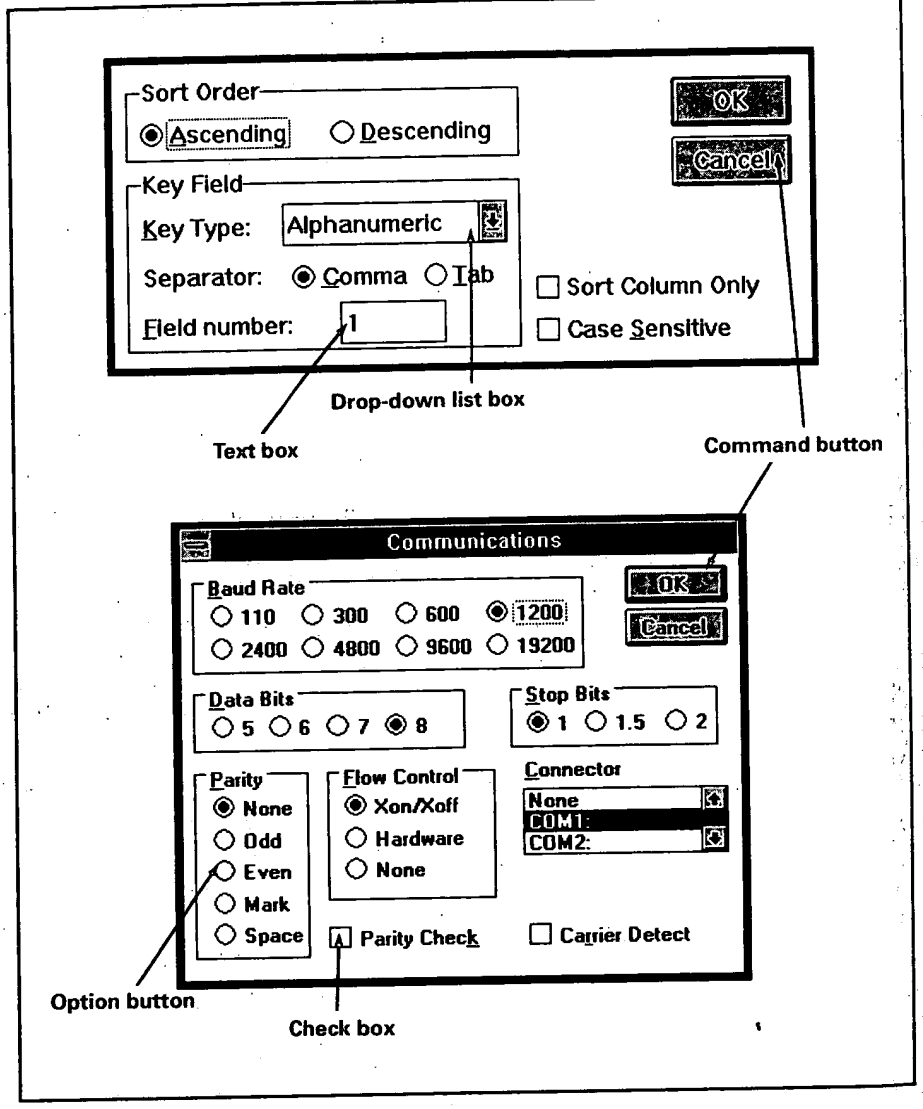
Now let's consider how you enter information into dialog boxes. There are six basic types of sections in dialog boxes: text boxes, check boxes, option buttons, command buttons, list boxes, drop-down list boxes, and file dialog boxes. Figure 1.12 illustrates these areas.

Once you've jumped to the correct section, you'll need to know how to make choices from it. Here is a list explaining how to use the sections:

Text Boxes

In this sort of section, you are asked to type in text from the keyboard. Sometimes there will be text already typed in for you. If you want to keep it as is, just leave it alone. To alter the text, simply type in new text. If the existing

FIGURE 1.12:
Typical dialog boxes, showing text boxes, option buttons, drop-down list boxes, and command buttons



text is already highlighted, then the first key you press will delete the existing entry. If it is not highlighted, you can backspace over it to erase it. You can also edit existing text. Clicking once on highlighted text will *deselect* it and cause the *text cursor* (a vertical blinking bar) to appear when you put the pointer inside the text area. You can then move the text cursor around using the arrow keys or the mouse and insert text (by typing) or delete text (by

pressing the Del key). Text is inserted at the position of the text cursor. Text boxes are most often used for specifying file names when you are saving or loading documents and applications, or specifying text to search for in a word-processing document.

Check Boxes

Check boxes are the small square boxes. They are used to indicate nonexclusive options. For example, you might want some text to appear as bold *and* underlined. Or, as another example, consider the Communications dialog box in Figure 1.12. In this box, you can have both the Parity Check and the Carrier Detect set on or off. These are toggle settings (as explained previously) that you activate or deactivate by clicking on the box. When the box is empty, the option is off; when you see an ×, the option is on.

Option Buttons

Unlike check boxes, which are nonexclusive, option buttons are exclusive settings. They are also round rather than square, and only one can be set on at a time. For example, using the same Communications dialog box referred to above, you may select 5, 6, 7, or 8 data bits in the Data Bits section of the dialog box. Clicking on the desired button turns it on (the circle will be filled) and turns any previous selection off. From the keyboard, you first jump to the section, then use the arrow keys to select the option.

Command Buttons

Command buttons are like option buttons except that they are used to execute a command immediately. They are also rectangular rather than boxes or circles. The most common command buttons are the OK and Cancel buttons found on almost every dialog box. Once you've filled in a dialog box to your liking, you click on the OK button and Windows or the application executes the settings you've selected. If you change your mind and don't want the new commands on the dialog box executed, click on the Cancel button. There is always a command button that has a thicker border; this is the button that will be executed if you press Enter. Likewise, pressing the Esc key always has the same effect as clicking on the Cancel button (that's why there's no underlined letter on the Cancel button). Some command buttons are followed by ellipses (...). These commands will open additional dialog boxes

for adjusting more settings. Other command buttons include two >> symbols in them. Choosing this type of button causes the particular section of the dialog box to expand so that you can make more selections.

List Boxes

SPEED TIP *You can quickly jump to an option in a list box by typing the first letter of its name. If there are two choices with the same first letter and you want the second one, press the letter again, or press the down arrow key.*

List boxes are like menus. They show you a list of options or items from which you can choose. For example, when choosing fonts to display or print text in, Windows Write shows you a list box. You make a selection from a list box the same way you do from a menu: by just clicking on it. From the keyboard, highlight the desired option with the arrow keys and then press Enter to choose it. Some list boxes are too small to show all the possible selections at once. In this case, there will be a scroll bar on the right side of the box. Use the scroll bar to see all the selections. Some list boxes let you make more than one selection, but most only allow one. To make more than one selection, press the spacebar to select or deselect any item, or hold the shift key down and click on additional list items with the mouse.

Drop-Down List Boxes

Drop-down list boxes are indicated by a small underlined arrow in a box to the right of the option. The current setting is displayed to the left of the little arrow. Clicking on the arrow opens a list that works just like a normal list box, and has scroll bars if there are a lot of options. Drop-down list boxes are used when a dialog box is too crowded to accommodate regular list boxes.

File Dialog Boxes

A dialog box like one of the two shown in Figure 1.13 often appears when using Windows and Windows applications. This type of box, called a file dialog box, is used to select files from your hard disk or floppy disks. Though used in a variety of situations, you're most likely to run into file dialog boxes when retrieving or saving a file from within an application program.

File dialog boxes vary somewhat from program to program, but they roughly work in identical fashion. Typically the box is divided into two main sections, listing files on the left, and directories on the right. In some applications, directories are represented by a folder as you see in the upper example

FIGURE 1.
A file dial
scan throu
to load or
ment. Her
typical file
types. The
the newer
style.

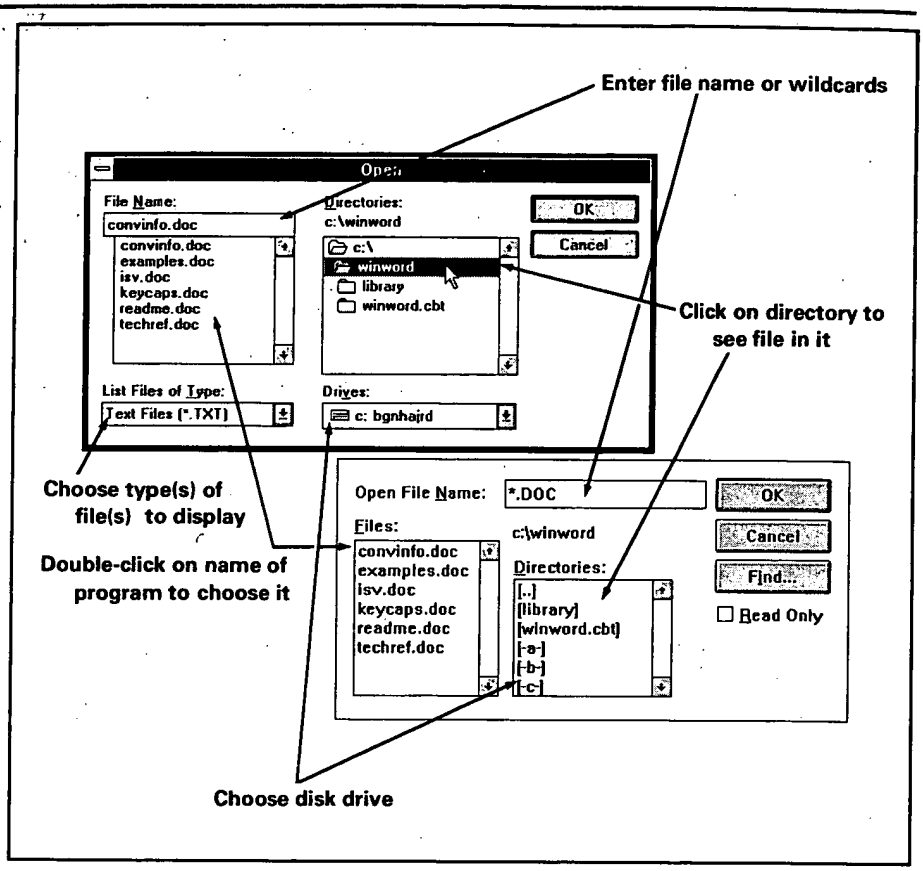


FIGURE 1.13: *A file dialog box lets you scan through directories to load or save a document. Here you see two typical file dialog box types. The upper one is the newer Windows 3.1 style.*

in the figure. In others, notably older programs not specifically designed for Windows 3.1, you only see the directory's name enclosed in brackets, as shown in the lower example.

Here's how you move through directories to find or name a file:

1. Make sure the correct disk drive is chosen down in the lower-right side of the box. Open the drop-down list box and select another drive if necessary. If using an older file box, you don't have a drop-down list for the drive. To change drives, you scroll to the bottom of the directory list and double-click on the name of the drive (e.g., [–a–], [–b–], [–c–]) to change drives.

2. Select a directory on the right side by double-clicking on its folder or name. The directory's files appear in the list to the left. If you don't see the directory you're aiming for, you may have to "move down" or "back up" the directory tree a level or two, particularly if the disk you're looking at has multiple levels of subdirectory levels on it. (See Chapter 4 for a review of DOS directory theory.) In newer style boxes, you'd double click on the folder just above the one that's currently open to back up a level, or on the folder below the current one to move down a level. In older-style boxes, you'll have to double-click on the two dots (..) at the top of the directory list to back up one directory level. Each double click backs up one directory level. To move down a level, click on any directory name enclosed in brackets.

3. If you want to see only certain types of files, open the List Files of Type box (if there is one) to select the type of files you want to see (such as programs, or all files). If the options offered don't suit your needs, or if you're using the older-style box, you can type in DOS-like wildcards in the File Name area, then press Enter to modify the file list accordingly. For example, to show only Lotus 1-2-3 worksheet files, you'd enter ***.WK?** in the File Name area and press Enter.

4. Once the file you want is visible in the file box at the left, double-click on it, or highlight it, and click on OK.

When saving a file for the first time, the file won't exist on the drive yet, so it won't show up in the file list box; you'll be giving it a name. To do this, select the drive and directory as outlined above, then move the cursor to the File Name area and type in the file name and extension. Make sure to delete any existing letters in the text area first, using the Backspace and/or delete keys. (For more information about selecting, editing, and replacing text, see Chapter 8, under "Techniques for Selecting Text.")

Place image of the entire screen on the Clipboard (DOS applications must be in text mode)	PrtScr (may require Shift key)
Place an image of the active window on the Clipboard	Alt-PrtScr (may require Shift key)
Open an application window Control box	Alt-Spacebar
Open a document window Control box	Alt-Hyphen
Quit a running application or close a window	Alt-F4
Close the active group window or document window	Ctrl-F4
Switch a non-Windows application between windowed and full-screen mode	Alt-Enter
Move or size a window	Choose Move or Size from Control box, then press ↑, ↓, ←, or →, followed by Enter

Menu Keys

These commands affect the displaying and choosing of commands from menus:

Activate the menu bar	Alt or F10
Choose the menu or command with underlined or highlighted letter	Single letter (upper- or lowercase both work)
Move between menus	← or →
Move between commands	↑ or ↓
Choose the highlighted menu name or command	Enter
Cancel the highlighted menu or deactivate the menu bar	Esc or Alt